

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SVETLANA BRAYNINA and INGA
GUREVICH, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

THE TJX COMPANIES, INC.,

Defendant.

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) Civil Action No. 1:15-cv-5897-KPF
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**NOTICE OF DEFENDANT THE TJX COMPANIES, INC.'S MOTION TO DISMISS
PLAINTIFFS' SECOND AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Defendant The TJX Companies, Inc., by and through its undersigned counsel, will move this Court, before the Honorable Katherine Polk Failla, at the United States Courthouse for the Southern District of New York, Courtroom 618, 40 Foley Square, New York, NY 10007, on a date and time to be set by the Court, for an Order dismissing with prejudice Plaintiffs' Second Amended Class Action Complaint, on the ground that such Complaint fails to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that, during a Pre-Motion Hearing on December 8, 2015, the Court set the following briefing schedule for the present motion:

Moving Papers: February 1, 2016

Answering Papers: March 4, 2016

Reply Papers: March 18, 2016

Dated: Boston, Massachusetts
February 1, 2016

ROPES & GRAY LLP

/s/ John P. Bueker
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Attorneys for The TJX Companies, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2016, I have caused a true and accurate copy of this Notice of Defendant The TJX Companies, Inc.'s Motion to Dismiss Plaintiffs' Second Amended Class Action Complaint to be served upon all counsel of record via the CM/ECF system.

/s/ John P. Bueker
John P. Bueker